

### **REMARKS**

Applicant would like to thank the Examiner for the careful consideration given the present application. The application has been carefully reviewed in light of the Office action, and amended as necessary to more clearly and particularly describe the subject matter which applicant regards as the invention.

It should be noted that, in the present After Final amendment, the claims as amended are presented herewith to overcome the rejections set forth in the last Office action and thereby place the application in condition for allowance. The claims as amended do not include any new matter, nor do they raise new issues requiring further consideration and/or search. The present amendment does not present additional claims without canceling any finally rejected claims, and so the present amendment materially reduces the issues to place the application in better condition for appeal. Favorable consideration is respectfully requested.

### **THE INVENTION**

As had been explained in the previous response, the present invention, as recited in the claim 1 as presently amended, is directed to a measuring machine. A base is provided that slidably supports a movable body. A guide rail is provided on the base and has a guide surface on which the movable body is slidably supported. The movable body is adapted to slide via an air bearing device on the guide surface of the guide rail. The guide rail is monolithically formed with the base, and a coating film for rust prevention is formed on the guide surface. It should be especially noted

that claim 1, as presently amended, recites, "the movable body moving at least one of a probe and a workpiece in measuring the workpiece." This is very different from the prior art relied upon by the Examiner.

### **THE REJECTIONS UNDER 35 U.S.C. § 103**

Claims 1-2 and 4-9 had once again been rejected under Section 103(a) as being unpatentable over Matsuda et al. (U.S. Pat. No. 6,513,253) in view of Broghammer (U.S. Pat. No. 6,041,511) and Tano (U.S. Pat. No. 6,427,355). A separate rejection of claim 3 had again been made over the same combination of references. These rejections are respectfully traversed, particularly as applied to the claims as presently amended.

As had been shown in the previous Amendment, Matsuda et al. is directed to a gauge for a coordinate measuring machine and related method for performing measurement along two machine axes. In the outstanding Final Action, the Examiner once again reads the "measuring table 3" of Matsuda et al. onto the present "base." The "jig pallet 4" of Matsuda et al. is read onto the present "movable body." The Examiner again generally refers to Fig. 1 of Matsuda et al. to indicate the present "guide rail" having a "guide surface," as is recited in the present claim 1. Reference is generally made to Fig. 1 to suggest other presently-claimed structures of the claims that are allegedly shown by Matsuda et al.

It is again noted that Matsuda et al. includes a three-dimensional portal measuring instrument 2 having a measurement table 3, and a holder body 10 mounted on the measurement table to hold the workpiece (measuring instrument

gauge 1). Grooves are formed on the measurement table 3, which were shown in the previous Amendment to be "T-slots," as the term is understood in the art. It is again emphasized that Matsuda et al.'s T slots are by no means a structure that slidably secures a movable body, as required by the present claims.

Matsuda et al. merely illustrates T-slots in the figures. Matsuda et al. does not discuss these T-slots in the disclosure, nor does Matsuda et al. deign to assign reference numerals or otherwise characterize these structures or their function in the disclosure. It would thus be speculative and go beyond the teachings of Matsuda et al. to assign any meaning whatsoever to these structures, absent a specific disclosure in the reference. At best, these T-slots can only be construed as receiving bolts (not disclosed) that could be used to clamp the jig pallet 4 to the table 3. The T-slots alone would not suffice to show "a base that slidably supports a moving body," as required by claim 1, since a moving body would merely slide around on the table over the T-slots, unless secured to the table in some undisclosed manner.

It should also be carefully noted that there is no structure disclosed in Matsuda et al. that could meet the requirements of "a guide rail provided on the base and having a guide surface on which the movable body is slidably supported," as recited in claim 1. It is clear that neither Matsuda et al.'s T-slots nor any other features can be read onto the guide rails of the amended claim 1.

In any event, the Examiner states that Matsuda et al. shows "T-slots upon which the body would have to move along to get to whatever location, fixed or not, thus Matsuda et al. does support having a base that slidably supports a movable body." However, it is clear that if the T-slot of Matsuda et al. were used in the

manner described by the Examiner, it would have to be done before the measurement process. Thus, the "movable body" of Matsuda et al. is fixed prior to the measurement of the workpiece.

In view of the above, the presently amended claim 1 now recites a "movable body moving at least one of a probe and a workpiece in measuring the workpiece." This passage has been added to highlight and clarify that the movable body is in motion during the measuring process. Claim 1 also includes the requirements that the movable body is used to move either the probe or the workpiece. It is very clear that Matsuda et al. cannot be construed as disclosing anything that could meet these requirements as recited in claim 1. It is therefore again respectfully submitted that Matsuda et al. teaches away from the present invention. Reconsideration and withdrawal of these grounds of rejection is therefore respectfully requested.

Further, as noted previously, the Examiner admits that Matsuda et al. does not disclose an air bearing device and a coating film for rust prevention as recited in the present claim 1, and that the coating film is made of ceramics as recited in the present claim 2. The Examiner has thus proposed a combination of Matsuda et al. with Broghammer, which discloses a coordinate measuring instrument including an air bearing, and Tano, which discloses a gauge block having a coating film formed on a surface for rust prevention.

With respect to the Broghammer and Tano references, it is again respectfully submitted that there would be no motivation for combining these references with Matsuda et al. The Examiner states that Broghammer's air bearing would reduce friction during the use of the machine. However, there is no reason, apart from the present invention, to add an air bearing to a table 4 that will be clamped and held in

a fixed location, as taught by Matsuda et al. Since Matsuda et al. fails to disclose a slidable workpiece on a table, as is required by the present claim 1, there would be no friction and therefore no reason to add an air bearing to reduce friction.

In view of the above, there is still no way that a further combination of Matsuda et al. with Broghammer would result in a "movable body slidably provided via an air bearing device on the guide surface of the guide rail," as is required by claim 1. So even if such a combination could somehow be contemplated, it would still fail to include all of the features of the presently claimed invention.

As for the coating film of Tano, this reference discloses a "gauge block" to be employed as a standard for measuring an accurate length dimension. It remains unclear how a gauge block is to be combined with a measurement machine such as Matsuda et al. It is respectfully submitted that a gauge block, having an anti-rust coating applied thereto, would not provide any disclosure or suggestion that would lead a skilled person into a combination with a measurement machine. Indeed, it would appear that such a combination would result in an inoperable device. Thus, there is no motivation for a combination of this reference with Matsuda et al.

The above notwithstanding, claim 1 requires that the present coating film for rust prevention is formed on the guide surface. However, since Matsuda et al. cannot be relied on to show a "guide surface on which the movable body is slidably supported," as recited in claim 1, even if Tano could be combined with Matsuda et al. as proposed by the Examiner, the combination would not include all of the features of the presently claimed invention.

In view of the above, it has been shown that the references relied upon by the Examiner, taken alone or in combination, fail to meet the requirements of the

present independent claim 1. The dependent claims recite additional limitations that also cannot be shown from the prior art. The dependent claims are considered allowable for at least the same reasons as independent claim 1. Therefore, it is respectfully submitted that the present amended claims patentably distinguish over the prior art. Reconsideration and withdrawal of the outstanding grounds of rejection is therefore respectfully requested.

In light of the foregoing, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned to expedite prosecution of the present application.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 18-0160, our Order No. KIN-15462.

Respectfully submitted,

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